

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION**

CHRISTOPHER KING, J.D. A/K/A KINGCAST ANGUS UNDERFOOT)	CASE NO. 2:22-CV-01623-JCC
Plaintiffs,)	
v.)	HON. JOHN C. COUGHENOUR
M & M PROPERTIES 8 and MARK GRIMM, And MAPLE LEAF PROPERTY MANAGEMENT & REAL ESTATE)))))	ORAL ARGUMENT REQUESTED
Defendants.)	

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL

NOW COME PLAINTIFFS to note that they have long since tired of this Court's arbitrary and capricious rulings. They hereby DISMISS this case without Prejudice

The Rule provides:

Rule 41. Dismissal of Actions

(a) VOLUNTARY DISMISSAL.

(1) *By the Plaintiff.*

(A) *Without a Court Order.* Subject to Rules [23\(e\)](#), [23.1\(c\)](#), [23.2](#), and [66](#) and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or.....

(B) *Effect.* Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits.

See also *Morisky v. MMAS Research LLC, et al.* 2:21-CV-1301-RSM-DWC (W.D. Wash. Jan. 10, 2022)

Here, Plaintiff seeks to voluntarily dismiss Defendants Rodney Watkins and Dustin Machi without prejudice. Dkt. 32. Defendants Watkins and Machi have not filed an answer or summary judgment motion. Rather, Defendants Watkins and Machi have only filed motions to dismiss. *See* Dkt. 19, 20. Further, while Plaintiff and other Defendants have been named in related cases, the parties do not assert, nor does the Court find, that Plaintiff has previously dismissed an action against Defendants Watkins and Machi “based on or including the same claim.” Thus, Plaintiff may voluntarily dismiss Defendants Watkins and Machi without a Court order.

Therefore, the Court construes the Motion for Voluntary Dismissal (Dkt. 32) as a Notice of Voluntary Dismissal. The Clerk is directed to terminate Defendants Watkins and Machi based on the Notice (Dkt. 32). (emphasis added).

No prior case has been previously-dismissed. Further, no Defendant has entered an Appearance and the Grimm Defendants are the only Defendants who have been served. As such the Dismissal is Without Prejudice, although Plaintiffs have absolutely no intention of ever setting foot in this Courthouse again on this case given what they have seen and experienced thus far.... Unless of course any Defendant attempts to Remove the upcoming State Court Case at which point Plaintiffs will vigorously object and watch the entire spectacle unfold on video, in the State Court where everything will be done on video in Open Court as it should be in every Court of Law excepting rape and tender age cases at the request of the Survivor.

Respectfully submitted,



Angus Underfoot



Christopher King, J.D.

CERTIFICATE OF SERVICE

I the undersigned swear that a true copy of this Notice was emailed and sent by U.S. Mail to all Defendants at:

jill@mapleleafmgt.com
tina@mapleleafmgt.com
8809 Roosevelt Way NE
Seattle, WA 98115
(206) 524-3348

steve@hbsslaw.com

Hagens Berman Seattle Office
1301 Second Avenue
Suite 2000
Seattle, WA 98101
(206) 524-3348

Mark Grimm
lmenvironmental@aol.com
622 Priest Point Dr NW
Tulalip, WA 98271
(425) 931-7852

Rob Trickler, Esq.
rob@tricklerlaw.com
2302 Rucker Ave
Everett, WA 98201

This 6th Day of December, 2022



CHRISTOPHER KING, J.D.
617.543.8085m